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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,746	05/24/1999	ROBERT L. STEWART	CIS-1219	9501

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EXAMINER

WOO, ISAAC M

ART UNIT PAPER NUMBER

2153

DATE MAILED: 02/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/317,746

Applicant(s)

STEWART ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Kimura Shuji (J.P. Patent No.10-040044, hereinafter, “Kimura”).

In considering claims 1, 18, 27 and 28, Kimura discloses the method for prioritizing a network management request sent by a management station to a managed element, comprising the step of:

assigning a priority value to the network management request, see (page 1, section [0006] and page 2, section [0014], lines 2-4); and

scheduling the network management request, by the managed element dependent on the assigned priority value, see (page 1, section [0007]).

In considering claims 2, 15, 19 and 24, Kimura discloses that the assigning is performed by the managed element, see (page 1, section [0006], lines 3-6).

In considering claims 3 and 20, Kimura discloses that the assigning further comprises the step of:

adding a priority value to an authentication group comprising user identification, in an authentication table, see (User-name, page 2, section [0016], line 1 to page 3, section [0016], lines 1-2).

In considering claims 4 and 22, Kimura discloses that the assigning further comprises the step of:

adding a priority value to a source identification in a source identification table, see (Host-name, page 2, section [0020], lines 1-3).

In considering claims 5-6, 11 and 21, Kimura discloses that the scheduling further comprises the step of:

extracting a user identification from the network management request;

determining the priority value by using the extracted user identification to index the authentication table; and

selecting the order of execution of the network management request dependent on the determined priority value, see (User-name, page 2, section [0017], page 3, section [0017], lines 1-7 and page 3, section [0018], lines 1-4).

In considering claims 7 and 12, Kimura discloses that the selecting further comprises the step of:

preempting the currently executing task if the determined value for the management request is higher than the currently executing task, see (page 3, section [0017], lines 1-7 and page 3, section [0023], lines 1-4).

In considering claims 8-9 and 13-14, Kimura discloses that the selecting further comprises the step of:

adding a management request to the request queue dependent on priority value, see (page 3, section [0017], lines 3-6 and page 3, section [0020], lines 2-7).

In considering claims 10 and 23, Kimura discloses that the scheduling further comprises the step of:

extracting the source identification form the network management request; and  
determining the priority value by using the extracted source identification to index the source identification table, see (Host-name, page 3, section [0020], lines 1-7).

In considering claims 16 and 25, Kimura discloses that the assigning further comprises the step of:

storing a priority value in the network management request before sending the network management request to the manage element (page 1, section [0006]), (the system disclosed is network managerial system comprising of server and client computers which have medium to

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store for data, therefore it is inherent that it comprises computer system that allows to store network data).

In considering claims 17 and 26, Kimura discloses that the scheduling further comprises the step of:

extracting the priority value from the network management request; and

scheduling the network management request dependent on the extracted priority value, see (page 3, section [0017] lines 1-7 and page 3, section [0020], lines 1-8).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703)305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7201 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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IMW  
February 4, 2002



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